

REVISED TO ADD ADDENDUMS

17A. Public Hearing on Expansion of the East Bank Redevelopment District. (Districts I and IV)

17B. Urban Renewal Notice of Intent to Lease Land.

CITY COUNCIL
CITY OF WICHITA
K A N S A S

City Council Meeting
9:00 A.M., November 16, 2004

City Council Chambers
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation
- Pledge of Allegiance
- Approve the minutes of the November 9, 2004 previous meeting

AWARDS AND PROCLAMATIONS

- Proclamations
Recognition of Citizens Academy Graduates.

PUBLIC AGENDA

- 1. Thomas Wimberly-Memorial to Pat Tillman.

CONSENT AGENDA

- 2. Report of the Board of Bids and Contracts Dated November 15, 2004.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

3. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2004</u>	<u>(Consumption off Premises)</u>
Jayanti B. Patel	M&V Petroleum Inc. dba Food Mart #255	1400 North Market #A
Jayanti B. Patel	M&V Petroleum Inc. dba Food Mart #210	10723 West Kellogg
John J. Leeker	Checkers K-15	1915 East Pawnee
<u>Renewal</u>	<u>2004</u>	<u>(Consumption on Premises)</u>
Carmen Rosales	Connie's Mexico Café*	2227 North Broadway

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

4. Preliminary Estimates:

- a) 2004 Sanitary Sewer Rehabilitation, Phase G - various locations between Tyler & Webb, and between 29th Street North & Pawnee. (468-83924/620419/664539) Traffic to be maintained during construction using flagpersons and barricades. (Districts I,II,III,V) - \$244,000
- b) Water line to serve Murdock from Arapaho to east of Boyd to serve West Central Gardens, West Central Gardens 3rd, and Avery Additions - north of Central, east of Hoover. (448-89946/735201/470871) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$42,840
- c) Water Distribution System to serve Southern Ridge Second Addition - south of Pawnee, west of Maize. (448-90008/735219/470889) Does not affect existing traffic. (District IV) - \$99,000
- d) Lateral 16 Northwest Interceptor Sewer to serve Liberty Park Third Addition - south of 13th Street North, east of 135th Street West. (468-83854/744075/480763) Does not affect existing traffic. (District V) - \$67,000
- e) Lateral 6, Main 5 Northwest Interceptor Sewer to serve Copper Gate Estates Addition - south of 13th Street North, west of 135th Street West. (468-83534/744082/480770) Does not affect existing traffic. (District V) - \$287,000
- f) Lateral 38, Cowskin Interceptor Sewer to serve Highland Springs Third Addition - south of Central, west of 135th Street West. (468-83635/744078/480766) Does not affect existing traffic. (District V) - \$229,000
- g) Lateral 13, Main 14 Southwest Interceptor Sewer to serve Burnham and Von Feldt Industrial Additions - south of Harry, west of West Street. (468-83772/744041/480729) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$99,000
- h) Rock Road from 21st Street North to 29th Street North, Phase 2: Landscaping (472-83889/706874/240340) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$51,140

(Item 4 continued)

- i) Main 17 Four Mile Creek Sewer, Phase 1 to serve Crestview Country Club - east of 127th Street East, south of 13th Street North. (468-83903/624078/652532) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$4,000,000

RECOMMENDED ACTION: Approve and file.

5. Deeds and Easements:

- a) Dedication for street purposes dated October 15, 2004 from Integrated Healthcare Systems INC. for a tract of located in Reserve "A", Wichita Clinic Addition, an addition to Wichita, Sedgwick County, Kansas (OCA 607879). No Cost to City
- b) Sanitary Sewer Easement dated October 29, 2004 from Mark M. & Lydia G. Haralson for a tract of land located on Lot 29, Evergreen Place Addition, Wichita, Sedgwick County, Kansas (OCA# 744061). No Cost to City

RECOMMENDED ACTION: Accept documents.

6. Statements of Cost and Partial Statements of Cost:

- a) Park Swimming Pool Improvements 2003. Total Cost - \$99,019.64 (Plus idle fund interest - \$758.02; less gain from sale of investments - \$172.19; less financing previously issued - \$95,000). Financing to be issued at this time - \$4,605.47. (785038/393-170)
- b) (Fourth Partial) Estimate of Cost for improving Grove Park Phase I Master Plan 2000- \$165,000; less financing previously issued - \$155,000. Financing to be issued at this time - \$10,000. (785031/392-163).
- c) (Third Partial) Estimate of Cost for improving Park Facilities Renovations 2003- \$392,000; less financing previously issued - \$360,000. Financing to be issued at this time - \$32,000. (785037/393-169).
- d) (Third Partial) Estimate of Cost for constructing the Adult Soccer Fields 2003- \$288,000; less financing previously issued - \$274,100. Financing to be issued at this time - \$13,900. (785039/393-171).
- e) (First Partial) Estimate of Cost for improving Swimming Pool Improvements 2004- \$16,000; less financing previously issued - \$0. Financing to be issued at this time - \$16,000. (785040/394-172).
- f) (Second Partial) Estimate of Cost for improving Park Athletic Courts, Parking Lots, Entry Drives and Lighting 2004- \$175,000; less financing previously issued - \$28,000. Financing to be issued at this time - \$147,000. (785041/394-173).
- g) (Second Partial) Estimate of Cost for improving Park Facilities Renovations 2004- \$200,000; less financing previously issued - \$65,000. Financing to be issued at this time - \$135,000. (785042/394-174).
- h) Pawnee, Rock to Webb. Total Cost - \$2,087,467.40; (less idle fund interest - \$907.76, - plus temporary note financing - \$10,281.42; less KDOT reimbursements - \$1,437,468.06; less financing previously issued - \$0; less interfund transfers - \$630,000.00). Financing to be issued - \$29,373.00. (706782/472-83087/200-239).

(Item 6 continued)

- i) Hydraulic, MacArthur to 63rd Street South (Design). Total Cost - \$435,000.00; (less idle fund interest - \$18,010.00; plus temporary note financing - \$0, less interfund transfers - \$126,000.00, less financing previously issued - \$250,000.00). Financing to be issued at this time - \$40,990.00. (706780/472-83140/200-263).
- j) Hydraulic, 57th Street South to MacArthur. Total Cost - \$4,841,164.26; (plus idle fund interest - \$33,392.34; plus temporary note financing - \$2,400.40; less interfund transfers - \$3,551,670.00; less financing previously issued - \$1,075,000.00). Financing to be issued at this time - \$250,287.00. (706810/472-83324/201-275).
- k) 21st Street North from Hillside to Oliver. Total Cost - \$1,354,720.68; (plus idle fund interest - \$1,986.14; less KDOT reimbursements - \$892,010.68; less interfund transfers - \$158,000.00; plus temporary note financing - \$9,220.86, less financing previously issued - \$300,000.00). Financing to be issued at this time - \$15,917.00. (706823/472-83368/201-289).
- l) Hillside from Kellogg to Central (Right-of-Way). Total Cost - \$500,000.00; (plus idle fund interest - \$3,080.00; plus temporary note financing - \$0; less interfund transfers - \$349,000.00; less financing previously issued - \$151,000.00). Financing to be issued at this time - \$3,080.00. (706834/472-83453/202-300).
- m) Central, Tyler to Woodchuck. Total Cost - \$508,299.76; (plus idle fund interest - \$4,863.49; plus temporary note financing - \$170.75, less financing previously issued - \$0; less interfund transfers - \$498,000.00). Financing to be issued at this time - \$15,334.00. (706835/472-83192/202-301).
- n) Hillside, 17th to 20th Street. Total Cost - \$1,578,802.89; (plus idle fund interest - \$8,881.00; plus temporary note financing - \$0; less interfund transfers - \$950,000.00; less financing previously issued - \$575,000.00). Financing to be issued at this time - \$62,684.00. (706842/472-83537/202-308).
- o) Rock Road from 21st Street North to 29th Street North (Design). Total Cost - \$116,125.24; (plus idle fund interest - \$732.76; plus temporary note financing - \$0; less financing from interfund transfers - \$66,000.00; less financing previously issued - \$30,000.00). Financing to be issued at this time - \$20,858.00. (706844/472-83539/202-310).
- p) Pawnee from Washington to Hydraulic (Design). Total Cost \$23,000.00; (plus idle fund interest - \$26.00; plus temporary note financing - \$0; less interfund transfers - \$0; less financing previously issued - \$23,000.00). Financing to be issued at this time - \$26.00. (706845/472-83540/202-311).
- q) Douglas Avenue from Seneca to McLean Blvd. Total Cost \$2,943,111.13; (plus idle fund interest - \$5,569.87; plus temporary note financing - \$0; less interfund transfers - \$310,000.00; less financing previously issued - \$2,550,000.00). Financing to be issued this time - \$88,681.00. (706846/472-83608/202-312).
- r) Woodlawn, Central to 13th Street (Design). Total Cost \$64,910.93; (plus idle fund interest - \$243.07; plus temporary note financing - \$0; less interfund transfers - \$0; less financing previously issued - \$63,000.00). Financing to be issued at this time - \$2,154.00. (706857/472-83758/203-323).
- s) Intersection of 29th Street North and Oliver (Design). Total Cost \$5,174.10; (plus idle fund interest - \$50.90; plus temporary note financing - \$0; less interfund transfers - \$0; less financing previously issued - \$0). Financing to be issued at this time \$5,225.00. (706886/472-83983/204-352).
- t) Intersection of 37th Street North and Rock Road (Design). Total Cost \$5,174.10; (plus idle fund interest - \$50.90; plus temporary note interest - \$0; less interfund transfers - \$0; less financing previously issued - \$0). Financing to be issued at this time \$5,225.00. (706887/472-83984/204-353).

(Item 6 continued)

- u) Intersection of 21st Street at 127th Street East (Design). Total Cost \$4,999.00; (plus idle fund interest - \$42.00; plus temporary note interest - \$0; less interfund transfers - \$0; less financing previously issued - \$0). Financing to be issued at this time \$5,041.00. (706888/472-83985/204-354).
- v) Seneca from Maple to McLean (Construction). Total Cost \$2,784,970.90; (plus idle fund interest - \$33,820.10; plus temporary note interest - \$0; less interfund transfers - \$225,000.00; less financing previously issued - \$2,500,000.00). Financing to be issued at this time \$93,791.00. (706747/472-82966/208-228).
- w) This Item intentionally left blank.
- x) Mt. Vernon Bridge at Dry Creek (Design). Total Cost \$13,018.01; (plus idle fund interest - \$6.99; plus temporary note interest - \$0; less interfund transfers \$0; less financing previously issued - \$10,000.00). Financing to be issued at this time \$3,025.00. (715689/472-83514/242-105).
- y) Kellogg and West Street Landscaping. Total Cost \$908,870.85; (plus idle fund interest - \$118.80; plus temporary note interest - \$0; less KDOT reimbursements - \$690,310.12; less interfund transfers - \$212,261.53; less financing previously issued - \$0). Financing to be issued at this time \$6,418.00. (701227/400-910).
- z) Gypsum Creek Bikepath (Cessna Park to Turnpike Drive). Total Cost \$455,356.74; (less idle fund interest - \$5,627.23; plus temporary note interest - \$0; less KDOT reimbursements - \$326,147.51; less interfund transfers - \$0; less financing previously issued - \$116,000.00). Financing to be issued at this time \$7,582.00. (706267/472-82654/405-180).
- aa) I-235 Landscaping (13th Street North to Broadway). Total Cost \$283,854.20; (less idle fund interest - \$9,974.47; plus temporary note interest - \$3,250.22; less KDOT reimbursements - \$220,662.95; less interfund transfers - \$0; less financing previously issued - \$50,000.00). Financing to be issued at this time \$6,467.00. (706358/472-82674/405-189).
- bb) Douglas Avenue Bridge over the Arkansas River. Total Cost \$7,023,624.63; (plus idle fund interest - \$69,853.31; plus temporary note interest - \$0; less KDOT reimbursements - \$2,799,417.94; less interfund transfers - \$0; less financing previously issued - \$4,100,000.00). Financing to be issued at this time \$194,060.00. (715482/472-82721/415-062).
- cc) (First Partial) Estimate of Cost for improving Pedestrian Bridge over Wichita Valley Center Floodway at Zoo Boulevard - \$66,900; less financing previously issued - \$0. Financing to be issued at this time - \$69,900. (706833/472-83874/202-299).
- dd) (Second Partial) Estimate of Cost for 21st Street Bikepath, Ridge to Maize Road - \$421,000; less KDOT reimbursements - \$300,340, less financing previously issued - \$50,000. Financing to be issued at this time - \$70,660. (706843/472-83532/202-309).
- ee) (Third Partial) Estimate of Cost for Harry, Oliver to Woodlawn - \$1,592,000; less KDOT reimbursements - \$1,164,000; less financing previously issued - \$83,000. Financing to be issued at this time - \$345,000. (706852/472-83685/203-318).
- ff) (Second Partial) Estimate of Cost for improving Meridian, 31st Street South to Pawnee (Design) - \$53,000; less financing previously issued - \$22,000. Financing to be issued at this time - \$31,000. (706854/472-83756/203-320).

(Item 6 continued)

- gg) (Second Partial) Estimate of Cost for improving 29th, Tyler Road to Ridge Road (Design) - \$61,000; less financing previously issued - \$20,000. Financing to be issued at this time - \$41,000. (706856/472-83751/203-322).
- hh) (First Partial) Estimate of Cost for improving 29th, ½ mile west of Maize Road to Maize Road (Design) - \$13,000; less financing previously issued - \$0. Financing to be issued at this time - \$13,000. (706858/472-83752/203-324).
- ii) (Second Partial) Estimate of Cost for Intersection of Tyler and Yosemite - \$25,000; less financing previously issued - \$15,000. Financing to be issued at this time - \$10,500. (706859/472-83757/203-325).
- jj) (Second Partial) Estimate of Cost for improving Main, Douglas to Murdock - \$1,016,000; less financing previously issued - \$16,000. Financing to be issued at this time - \$1,000,000. (706864/472-83811/203-330).
- kk) (First Partial) Estimate of Cost for improving McCormick Realignment - \$113,000; less financing previously issued - \$0. Financing to be issued at this time - \$113,000. (706866/472-83831/203-332).
- ll) (Second Partial) Estimate of Cost for Intersection of Harry and McLean - \$594,000; less KDOT reimbursements - \$444,000; less financing previously issued - \$25,000. Financing to be issued at this time - \$125,000. (706865/472-83781/204-331).
- mm) (Second Partial) Estimate of Cost for 29th Street, Maize to Tyler Road - \$100,000; less financing previously issued - \$25,000. Financing to be issued at this time - \$75,000. (706868/472-83863/204-334).
- nn) (Second Partial) Estimate of Cost for Pawnee, Washington to Hydraulic - \$139,900; less financing previously issued - \$13,000. Financing to be issued at this time - \$126,900. (706869/472-83858/204-335).
- oo) (First Partial) Estimate of Cost for improving Central, Woodlawn and Rock Road - \$14,000; less financing previously issued - \$0. Financing to be issued at this time - \$14,000. (706872/472-83874/204-338).
- pp) (Second Partial) Estimate of Cost for Rock Road, 21st to 29th Street - \$1,799,000; less KDOT reimbursements - \$1,307,000; less interfund transfer - \$20,000. Financing to be issued at this time - \$472,000. (706874/472-83889/204-340).
- qq) (First Partial) Estimate of Cost for 2004 Arterial Sidewalk Program - \$310,000; less financing previously issued - \$0. Financing to be issued at this time - \$310,000. (706879/472-83966/204-345).
- rr) (First Partial) Estimate of Cost for 2004 Street Rehab Program - \$375,000; less financing previously issued - \$0. Financing to be issued at this time - \$375,000. (706881/472-83925/204-347).
- ss) (First Partial) Estimate of Cost for the Intersection of Maple and Ridge Road (Design) - \$48,500; less financing previously issued - \$0. Financing to be issued at this time - \$48,500. (706882/472-83856/204-348).
- tt) (First Partial) Estimate of Cost for Bike Path at the Trailhead in Grove Park (Design) - \$16,000; less financing previously issued - \$0. Financing to be issued at this time - \$16,000. (706883/472-84003/204-349).

(Item 6 continued)

- uu) (First Partial) Estimate of Cost for Bike Path along the former MOPAC/UP Railroad Tracks from the intersection of Central at Waco to the intersection of 15th Street North at Broadway (Design) - \$40,000; less financing previously issued - \$0. Financing to be issued at this time - \$40,000. (706884/472-84008/204-350).
- vv) (First Partial) Estimate of Cost for Bike Path along Gypsum Creek from I-135 Freeway to the Kansas Turnpike (Design) - \$50,000; less financing previously issued - \$0. Financing to be issued at this time - \$50,000. (706885/472-84009/204-351).
- ww) (First Partial) Estimate of Cost for improving West Street, Maple to Central (Design) - \$20,000; less financing previously issued - \$0. Financing to be issued at this time - \$20,000. (706890/472-83997/204-356).
- xx) (First Partial) Estimate of Cost for improving Pawnee, 119th to Maize (Design) - \$50,000; less financing previously issued - \$0. Financing to be issued at this time - \$50,000. (706891/472-84005/204-357).
- yy) (First Partial) Estimate of Cost for improving Seneca, I-235 to 31st (Design) - \$35,000; less financing previously issued - \$0. Financing to be issued at this time - \$35,000. (706892/472-84006/204-358).
- zz) (First Partial) Estimate of Cost for improving Pawnee, Meridian to Seneca (Design) - \$30,000; less financing previously issued - \$0. Financing to be issued at this time - \$30,000. (706893/472-84012/204-359).
- aaa) (First Partial) Estimate of Cost for improving Pawnee, Palisade to Broadway (Design) - \$20,000; less financing previously issued - \$0. Financing to be issued at this time - \$20,000. (76894/472-84013/204-360).
- bbb) (First Partial) Estimate of Cost for improving Harry, KTA to Rock Road (Design) - \$10,000; less financing previously issued - \$0. Financing to be issued at this time - \$10,000. (706897/472-83999/204-363).
- ccc) (First Partial) Estimate of Cost for improving Greenwich between 13th to K-96 (Design) - \$100,000; less financing previously issued - \$0. Financing to be issued at this time - \$100,000. (706899/472-84004/204-365).
- ddd) (First Partial) Estimate of Cost for improving 29th between 119th Street West to Maize Road (Design) - \$20,000; less financing previously issued - \$0. Financing to be issued at this time - \$20,000. (706901/472-83982/204-367).
- eee) (First Partial) Estimate of Cost for improving 21st, Oliver to Woodlawn (Design) - \$22,000; less financing previously issued - \$0. Financing to be issued at this time - \$22,000. (706902/472-84016/204-368).
- fff) (First Partial) Estimate of Cost for improving 17th, Broadway to I-135 (Design) - \$25,000; less financing previously issued - \$0. Financing to be issued at this time - \$25,000. (706903/472-84014/204-369).
- ggg) (First Partial) Estimate of Cost for improving 13th, 135th Street West to 119th Street West (Design) - \$39,000; less financing previously issued - \$0. Financing to be issued at this time - \$39,000. (706904/472-84010/204-370).
- hhh) (First Partial) Estimate of Cost for improving Dewey, Main to Broadway (Design) - \$10,000; less financing previously issued - \$0. Financing to be issued at this time - \$10,000. (706905/472-84011/204-371).

(Item 6 continued)

- iii) (First Partial) Estimate of Cost for improving the Intersection of Pawnee and McLean (Design) - \$10,000; less financing previously issued - \$0. Financing to be issued at this time - \$10,000. (706906/472-84007/204-372).
- jjj). (First Partial) Estimate of Cost for improving the Intersection of 17th and Hillside (Design) - \$10,000; less financing previously issued - \$0. Financing to be issued at this time - \$10,000. (706908/472-84015/204-374).
- kkk). (First Partial) Estimate of Cost for improving the Intersection of 13th and Mosley (Design) - \$20,000; less financing previously issued - \$0. Financing to be issued at this time - \$20,000. (706909/472-83995/204-375).
- lll) (Second Partial) Estimate of Cost for improving 13th Street Bridge at Cowskin (Design) - \$63,200; less financing previously issued - \$40,000. Financing to be issued at this time - \$23,200. (715989/472-83511/242-102).
- mmm) (Second Partial) Estimate of Cost for improving 21st Street Bridge at West Branch of Chisholm Creek (Design) - \$36,000; less financing previously issued - \$25,000. Financing to be issued at this time - \$11,000. (715688/472-83513/242-104).
- nnn) This Item intentionally left blank.
- ooo) (Second Partial) Estimate of Cost for improving Central Bridge at Gypsum Creek (Design) - \$10,000; less financing previously issued - \$0. Financing to be issued at this time - \$10,000. (715693/472-83748/243-109).
- ppp) (First Partial) Estimate of Cost for improving Oliver Street Bridge at Gypsum Creek (Design) - \$20,000; less financing previously issued - \$0. Financing to be issued at this time - \$20,000. (715694/472-83746/243-110).
- qqq) (Second Partial) Estimate of Cost for improving Central Bridge at Tara - \$113,500; less financing previously issued - \$90,000. Financing to be issued at this time - \$23,500. (715696/472-83801/243-112).
- rrr) (First Partial) Estimate of Cost for improving 13th Street Bridge at Cowskin Creek - \$420,000; less financing previously issued - \$0. Financing to be issued at this time - \$420,000. (715697/472-83851/243-113).
- sss) (First Partial) Estimate of Cost for improving Murdock Bridge at Little Arkansas River - \$175,000; less financing previously issued - \$0. Financing to be issued at this time - \$175,000. (715698/472-83895/244-114).
- ttt) (First Partial) Estimate of Cost for improving 21st Street Bridge at St. Francis - \$13,000; less financing previously issued - \$0. Financing to be issued at this time - \$13,000. (715699/472-83933/244-115).
- uuu) (First Partial) Estimate of Cost for improving 9th Street Bridge at Westlink Ditch - \$30,000; less financing previously issued - \$0. Financing to be issued at this time - \$30,000. (715702/472-84021/244-118).

RECOMMENDED ACTION: Approve and file.

7. Petitions for Paving, Sanitary Sewer, Storm Water Drain and Water Distribution System to serve Sawmill Creek Addition, east of Rock, north of 45th Street North. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

8. Street Closures/Uses - National Junior College Half Marathon Championship, November 21, 2004.

--Nims Street from Stackman to Murdock
--Stackman from Nims to Murdock

RECOMMENDED ACTION: It is recommended that the City Council approve the request subject to: (1) Event sponsors notifying every property and/or business adjoining any portion of the closed street; (2) Coordination of event arrangements with City Staff; (3) Hiring off-duty public safety officers as required by the Police Department; (4) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; (5) Submitting a Certificate of Insurance evidencing general liability insurance which covers the event and its related activities, including the naming of the City as an additional insured with respect to the event's use of the closed City streets.

9. Quarterly Financial Report for the Period Ended September 30, 2004.

RECOMMENDED ACTION: Receive and file.

10. Cessna Sublease Agreement. (District I)

RECOMMENDED ACTION: Approve Agreement; authorize necessary signatures.

11. Property Acquisition: Portion of 777 West Central for the River Corridor Improvement Project. (District VI)

RECOMMENDED ACTION: Approve the bonding resolution and authorize the necessary signatures.

12. Sale of Surplus Property Located at the Southwest Corner of Kellogg and Julia. (District V)

RECOMMENDED ACTION: Approve the Real Estate Purchase Contracts and authorize the necessary signatures.

13. City Hall Garage Repairs. (District I)

RECOMMENDED ACTION: Approve the project; adopt the resolution; authorize Staff to hire a structural engineer to perform a condition appraisal, construct the necessary repairs and authorize the necessary signatures.

14. Section 3 Policy and Action Plan.

RECOMMENDED ACTION: Approve the Section 3 Policy and Action Plan and any subsequent revisions.

15. Homeland Security Grant Funding. (Districts I, II, III, IV, V, VI)

RECOMMENDED ACTION: Adopt the Resolution.

16. Second Reading Ordinances: (First read November 9, 2004)

a) Industrial Revenue Bonds, The Boeing

An Ordinance approving and authorizing the execution of a Lease Agreement between the Boeing Company and the City of Wichita, Kansas; approving and authorizing the execution of an Indenture of Trust between said City and the Bank of New York Trust Company, N.A.; pledging certain payments under said Lease Agreement and moneys and securities held by the trustee under the terms of said Indenture of Trust; authorizing and directing the issuance of Industrial Revenue Bonds Series VI, 2004 (The Boeing Company Project) of said City in the principal amount of \$67,000,000 for the purpose of providing funds for the acquisition, construction, reconstruction and improvement of certain industrial and manufacturing facilities of Boeing commercial airplanes, Wichita Division, a division of the Boeing Company, a Delaware Corporation, in Sedgwick County, Kansas; designating the trustee and the paying agent for said bonds; authorizing the sale of said bonds and the execution of a Bond Purchase Agreement therefor; approving and authorizing the execution of an administrative service fee agreement; and authorizing the execution and delivery of certain related instruments; an ordinance approving and authorizing the execution of a master amendment to lease agreements between the Boeing Company and the City of Wichita, Kansas.

b) ZON2004-00049 - generally located southwest of Seneca and Patterson. (District IV)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON 2004-00049

c) PUD2004-03-Amendment #1 to PUD #12 - generally located one-fourth mile south of Harry on the southwest corner of Triple Crown Court and Triple Crown Street, 1777 S. Triple Crown St. (District II)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. PUD2004-03/PUD#12

d) ZON2004-00050 - generally located west of Amidon and 34th Street North. (District VI)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON 2004-00050

- e) DR2004-0004 - generally located east of Washington Street, west of Hydraulic Street, north of Murdock/8th Street and south of 17th Street North. (District I)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. DR2004-0004

RECOMMENDED ACTION: Adopt Ordinances.

NEW BUSINESS

17. Extended Special Assessments Financing Pilot Project.

In 2003, the Wichita Area Builders Association (WABA) requested the City Council consider extending the bond terms for special assessment debt from its current fifteen years to twenty years, matching a proposed change in the collection of special assessments from property owners.

RECOMMENDED ACTION: 20 year special assessment project be extended for one-year with the incorporation of a \$1,000 fee for re-submittal of applications due to errors or incorrect information on the part of the developer or his consulting engineer.

ADDENDUM

17A. **Public Hearing on Expansion of the East Bank Redevelopment District. (Districts I and IV)**

On September 21, 2004, the City Council took several actions needed to facilitate the recruitment by WaterWalk LLC of a national destination retailer, Gander Mountain, Inc., to serve as the anchor retail tenant in the WaterWalk Redevelopment Project. Included in the actions taken was the adoption of a resolution setting November 16, 2004, as the date for a public hearing on the expansion of the East Bank Redevelopment District to include the River Corridor Project area.

RECOMMENDED ACTION: **Recommendation/Actions:** It is recommended that the City Council close the public hearing and approve first reading of the ordinance authorizing the addition of the River Corridor Project area to the East Bank Redevelopment District and approving a substantial change to the District Plan.

ADDENDUM

17B. Urban Renewal Notice of Intent to Lease Land.

The City of Wichita has entered into a development agreement with WaterWalk LLC for the adopted redevelopment plan call for the City to lease certain parcels of land in the East Bank Redevelopment District to WaterWalk LLC and for WaterWalk LLC to construct various commercial buildings thereon. The first such parcel to be leased to WaterWalk LLC is the Destination Retailer Building Site, identified as Parcel A on the approved Revised WaterWalk Master Plan. WaterWalk LLC intends to construct an 80,000 square foot commercial building on this site and lease it to Gander Mountain, a national outdoor sports outfitter.

RECOMMENDED ACTION: Authorize and direct Staff to give public notice of the City's intent to lease land in the East Bank Redevelopment District to WaterWalk LLC in accordance with applicable urban renewal laws.

18. Ordinance Authorizing Execution and Delivery of Master Amendment to Lease Agreements, Boeing Company IRB Projects. (District VI)

The City has outstanding twenty-five series of Industrial Revenue Bonds issued between February 1980 and December 17, 2003, to finance facilities for the benefit of The Boeing Company.

RECOMMENDED ACTION: Place on first reading the Ordinance to authorize the execution and delivery of the Master Amendment to Lease Agreements.

19. Revised Economic Development Incentive Policy.

One of the essential functions of city government is to foster economic growth in the community in order to provide adequate employment opportunities for its citizenry, to ensure a high quality of life and to generate sufficient fiscal resources to fund essential government services and infrastructure.

RECOMMENDED ACTION: Approve the proposed Economic Development Incentives Policy.

20. Public Hearing and Request for Letter of Intent for Industrial Revenue Bonds, Cap Carpet, Inc. (District V)

Ridge Plaza Ventures, L.L.C. is requesting the issuance of a one-year letter of intent for Industrial Revenue Bonds (IRBs) in an amount not to exceed \$4,000,000.

RECOMMENDED ACTION: Close the public hearing and approve the Letter of Intent to Ridge Plaza Ventures, L.L.C. Inc. for Industrial Revenue Bonds in an amount not-to-exceed \$4,000,000, subject to the Standard Letter of Intent Conditions, for a term of one-year and approve a 90% tax abatement on all bond-financed property for an initial five-year period plus an additional five years following City Council review and authorize the necessary signatures.

21. Public Hearing and Request for Letter of Intent for Industrial Revenue Bonds, The Coleman Company, Inc. (District I)

Between 1993 and 2002, the City Council has approved Letters of Intent to issue Industrial Revenue Bonds (IRBs) up to \$135 million to the Coleman Company, Inc. and has approved the issuance of \$121.8 million. Bonds were issued to finance the construction of a new corporate headquarters, the expansion of existing manufacturing facilities and the purchase of additional machinery and equipment for its manufacturing facilities in Wichita and Maize. In addition, the City Council also approved a 100% five-plus-five-year ad valorem tax exemption on all bond-financed property.

RECOMMENDED ACTION Close the public hearing; 2) approve the extension of the 2002 Letter of Intent to the Coleman Company, Inc.; 3) approve a new Letter of Intent for the issuance of Industrial Revenue Bonds in an amount not-to-exceed \$35,000,000 million for a term ending December 31, 2007; 4) and grant a 100% tax exemption on all bond-financed property for a five-year term, plus a second five years subject to City Council review, and subject to Standard Letter of Intent conditions.

22. Approval of Invista Economic Development Incentive. (District I)

In January 2004, Lieutenant Governor John Moore was contacted by representatives of Koch Industries with the news that Koch was nearing an agreement to purchase a major division of Dupont, called Dupont Textiles and Interiors. Lt. Gov. Moore contacted City and County officials who formed a task force to develop a proposal that would convince Koch to relocate the corporate headquarters of the new company to Wichita. A joint proposal was made to the company in February 2004, with the City and County portion being subject to ultimate approval by their respective governing boards. In April 2004, Koch concluded the purchase, renamed the new company Invista and announced that its headquarters would be located in Wichita. The Company has accepted the offer of incentives made by the City, County and State.

RECOMMENDED ACTION: Approve the forgivable loan to Invista in the amount of \$740,000 and authorize the Mayor to execute the loan agreement.

23. Current Refunding of General Obligation Bonds, Series 2004B & 2004C Advanced Refunding of General Obligation Bonds, Series 2004D.

On November 2, 2004, the City Council designated AG Edwards to serve as lead underwriter in a negotiated offering of General Obligation Bonds. Since that date, staff has worked to distribute the Preliminary Official Statement and negotiate the details of the sale with the designated lead underwriter.

RECOMMENDED ACTION: Approve the award of the sale.

24. Funding Support for the Arts.

In 1994, the City Council and the Arts Council commissioned an independent study of the impact and potential of local arts and culture, which resulted in the approval of the Wichita Community Cultural Plan. One of the goals of the Cultural Plan was to establish a funding mechanism that would encourage cultural resources to become active partners.

RECOMMENDED ACTION: Adopt the resolution.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

25. ZON2004-00031-Zone Change from Single-Family Residential to Two-Family Residential. Generally Located Approximately Midway between Greenwich Road and 127th Street East, North of Douglas Avenue. (District II)

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change; place the ordinance establishing the zone change on the first reading or
2. Return the application to the MAPC for reconsideration.

26. *SUB2004-94-Plat of KDMM Addition, Located on the North Side of 53rd Street North and East of Tyler Road.

RECOMMENDED ACTION: Approve the plat and authorize the necessary Signatures.

27. *ZON2001-00053-Extension of Time to Complete the Platting Requirement for a Zone Change from Single-Family Residential to Limited Industrial with Restrictive Covenant to Limit Uses and Modify Development Standards. Generally Located South of 45th Street North and West of Webb Road, 4211 North. Webb Road. (District II)

RECOMMENDED ACTION: Approve extension of time to complete platting to October 2, 2005.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

* Consent Items

28. *Supplemental Agreement No. 3-Bevan-Rabell.

RECOMMENDED ACTION: Approve Supplemental Agreement No. 3
and authorize necessary signatures.

29. *Tenant Improvements Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Approve the project, adopt the resolution, approve the capital budget and authorize the necessary signatures.

30. *Tenant Facility Improvements Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Approve the project, adopt the resolution and authorize the necessary signatures.

31. *Supplemental Agreements-EMU Express and Executive Limousine.

RECOMMENDED ACTION: Approve the Supplemental Agreement and authorize the necessary signatures.

CITY COUNCIL

32. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

Adjournment

Workshop to follow Company. (District III)

Agenda Item# 23

City of Wichita
City Council Meeting
November 16, 2004

Agenda Report No. 04-1150

TO: Mayor and City Council

SUBJECT: Current Refunding of General Obligation Bonds, Series 2004B & 2004C
Advanced Refunding of General
Obligation Bonds, Series 2004D

INITIATED BY: Department of Finance

AGENDA: New Business

RECOMMENDATION: Approve the award of the sale.

BACKGROUND: On November 2, 2004, the City Council designated AG Edwards to serve as lead underwriter in a negotiated offering of General Obligation Bonds. Since that date, staff has worked to distribute the Preliminary Official Statement and negotiate the details of the sale with the designated lead underwriter.

ANALYSIS: The plan of financing for the negotiated issue includes the marketing of the 2004B, 2004C and 2004D General Obligation Refunding Bonds. AG Edwards is acting as the lead underwriter for the bonds that has a current principal amount of \$71,980,000. The marketing of the bonds occurred in St. Louis with AG Edwards taking orders for bonds from syndicate members and other brokerage houses with offices in Wichita.

FINANCIAL CONSIDERATIONS: The present value savings of approximately \$3.4 million is equal to 5.8%, 3.7% and 4.0% of the par amount of the bonds being refunded for the Series 2004B, 2004C and 2004D respectively. Generally accepted standards for determining the appropriate level of savings in a bond refunding suggest a minimum 3% as the threshold. The proposed refunding far exceeds the minimum threshold for each Series.

LEGAL CONSIDERATIONS: Bond Counsel has drafted the bond ordinance and resolution needed to execute the issuance of the bonds and has also drawn up the bond purchase agreements for the sale of the bonds to the underwriters as well as the official statement.

RECOMMENDATION/ACTION: It is recommended that the Council: (1) approve the Bond Purchase Agreement and (2) adopt the Bond Ordinance and Resolution and (3) authorize the Mayor to execute the Request for Declaration of Emergency.